

House File 2366 - Reprinted

HOUSE FILE 2366
BY COMMITTEE ON STATE
GOVERNMENT

(SUCCESSOR TO HSB 622)

(As Amended and Passed by the House March 4, 2014)

A BILL FOR

1 An Act relating to local elections and voter registration by
2 providing for electronic storage of voter registration
3 applications by a county and by providing changes in the
4 process for filling vacancies in elective city office.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 48A.35, Code 2014, is amended to read as
2 follows:

3 **48A.35 Voter registration records under control of the**
4 **commissioner.**

5 1. The county commissioner of elections shall be
6 responsible for the maintenance and storage of all paper and
7 electronic voter registration records in the commissioner's
8 custody. Original registration records shall not be removed
9 from the commissioner's office or from any other designated
10 permanent storage location except upon request of a county
11 commissioner or a court order, as provided in subsection 2,
12 or as provided by section 48A.32. The state registrar of
13 voters and the state voter registration commission shall adopt
14 administrative rules to implement this section.

15 2. The county commissioner of elections may store an
16 unaltered version of completed voter registration applications,
17 including the applicant's signature, as an electronic document,
18 or in another format suitable for preserving information in
19 the registration record, regardless of the format in which the
20 application is submitted.

21 Sec. 2. Section 372.13, subsection 2, paragraph a, Code
22 2014, is amended to read as follows:

23 a. (1) By appointment by the remaining members of the
24 council, except that if the remaining members do not constitute
25 a quorum of the full membership, paragraph "b" shall be
26 followed. The appointment shall be made within sixty days
27 after the vacancy occurs and shall be for the period until the
28 next pending election as defined in section 69.12, and shall
29 be made within forty days after the vacancy occurs regular
30 city election described in section 376.1, unless there is an
31 intervening special election for that city, in which event the
32 election for the office shall be placed on the ballot at such
33 special election.

34 (2) If the council chooses to proceed under this paragraph,
35 it shall publish notice in the manner prescribed by section

1 362.3, stating that the council intends to fill the vacancy
2 by appointment but that the electors of the city or ward, as
3 the case may be, have the right to file a petition requiring
4 that the vacancy be filled by a special election. The council
5 may publish notice in advance if an elected official submits
6 a resignation to take effect at a future date. The council
7 may make an appointment to fill the vacancy after the notice
8 is published or after the vacancy occurs, whichever is later.
9 However, if within fourteen days after publication of the
10 notice or within fourteen days after the appointment is made,
11 there is filed with the city clerk a petition which requests a
12 special election to fill the vacancy, an appointment to fill
13 the vacancy is temporary and the council shall call a special
14 election to fill the vacancy permanently, under paragraph "b".
15 The number of signatures of eligible electors of a city for a
16 valid petition shall be determined as follows:

17 ~~(1)~~ (a) For a city with a population of ten thousand or
18 less, at least two hundred signatures or at least the number of
19 signatures equal to fifteen percent of the voters who voted for
20 candidates for the office at the preceding regular election at
21 which the office was on the ballot, whichever number is fewer.

22 ~~(2)~~ (b) For a city with a population of more than ten
23 thousand but not more than fifty thousand, at least one
24 thousand signatures or at least the number of signatures equal
25 to fifteen percent of the voters who voted for candidates for
26 the office at the preceding regular election at which the
27 office was on the ballot, whichever number is fewer.

28 ~~(3)~~ (c) For a city with a population of more than fifty
29 thousand, at least two thousand signatures or at least the
30 number of signatures equal to ten percent of the voters who
31 voted for candidates for the office at the preceding regular
32 election at which the office was on the ballot, whichever
33 number is fewer.

34 ~~(4)~~ (d) The minimum number of signatures for a valid
35 petition pursuant to ~~subparagraphs (1)~~ subparagraph divisions

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1 (a) through ~~(3)~~ (c) shall not be fewer than ten. In
2 determining the minimum number of signatures required, if at
3 the last preceding election more than one position was to be
4 filled for the office in which the vacancy exists, the number
5 of voters who voted for candidates for the office shall be
6 determined by dividing the total number of votes cast for the
7 office by the number of seats to be filled.